



City of Santa Barbara

SECONDARY DWELLING UNIT GUIDELINES

1. **APPROVALS REQUIRED IF ALL REQUIREMENTS ARE MET:****

- ☐ Architectural Board of Review (ABR) (See Building Requirements)
- ☐ If the property is located in the Coastal Zone, a Coastal Development Permit approved by the Planning Commission is required.

2. **RESTRICTIONS ON LOCATION:**

- ☐ **ALLOWED:**
 - a. In one family residence zones only.
 - b. On lots having a minimum area of 7,000 sq. ft.
- ☐ **NOT ALLOWED:**
 - a. All zones other than single-family residence zones.
 - b. On lots having an area of less than 7,000 sq. ft.
 - c. High fire district.
 - d. On lots with an existing accessory building used as additional living space.
 - e. On lots where there is more than one primary dwelling unit.

3. **UNIT RESTRICTIONS & REQUIREMENTS:**

- ☐ **FLOOR AREA:**
 - a. Not to exceed 600 sq. ft.
 - b. Not to increase the floor area of the primary dwelling over 10 percent.
 - c. Shall not constitute more than 40 percent of the combined floor areas of the primary dwelling and the secondary dwelling unit excluding carports and garages.
 - d. Primary dwelling unit shall not have less than 400 sq. ft.
- ☐ **ALLOWABLE ROOMS:**
 - a. Minimum of two (2) rooms not including primary dwelling unit.
 - b. Maximum of four (4) rooms not including primary dwelling unit.
 - c. The total number of rooms on a parcel shall not be increased by more than two (2), including bathroom and kitchen.
 - d. Must have a kitchen and bathroom.
- ☐ **ATTACHMENT:**
 - a. Must be attached by a common wall(s), floor or ceiling.
 - b. Can not be attached by a breeze-way porch.
- ☐ **PARKING:**
 - a. One (1) covered or uncovered space required for secondary dwelling unit.
 - b. Required parking for primary dwelling unit must be provided.
 - c. No modification will be allowed for required parking except to encourage housing opportunities for the disabled and handicapped persons.
 - d. The existing garage or carport for the primary dwelling unit shall not be converted to provide a secondary dwelling unit.

- ☐ **SEPARATE ENTRANCE** - Secondary dwelling units are required to have a separate entrance.
- ☐ **SETBACKS & HEIGHT LIMITATIONS** - Current zoning requirements must be used for any new construction.

4. OWNER OCCUPANCY:

- ☐ The property shall be owner-occupied. The owner shall show proof of occupancy by submitting copies of the following documents: property tax statement; driver's license; and utility bills.

5. OCCUPANCY LIMITATIONS:

- ☐ No more than two (2) persons in the secondary dwelling unit.
- ☐ The secondary dwelling unit (or primary dwelling unit if the owner chooses to live in the secondary dwelling unit) shall be leased or rented to either immediate family members or low-income households. (The City may consider allowing moderate-income households in situations where higher rent levels are needed to meet the carrying cost of the new construction.)

6. BUILDING REQUIREMENTS:

- ☐ **ARCHITECTURAL BOARD OF REVIEW (ABR)** - Approval by the ABR is required for all secondary dwelling units that require any changes to the primary dwelling unit, before a building permit can be issued.
- ☐ **HOUSING CODES:**
 - a. Both primary and secondary dwelling unit must meet current housing codes.
 - b. Any additions or alterations shall comply to all current building code requirements.
 - c. Separate water meters for secondary dwelling units are required; primary dwelling units shall be retrofitted with water conservation devices.

7. PRIOR TO OBTAINING A BUILDING PERMIT:

- ☐ The property owner shall file with the County Recorder, upon approval of the City Attorney, as to form and content, a covenant containing a reference to the deed under which the property was acquired by the present owner and stating that:
 - a. The secondary dwelling unit shall not be sold separately from the primary dwelling unit.
 - b. The secondary dwelling unit is restricted to the approved site.
 - c. The approval for the secondary dwelling unit shall be in effect only so long as either the primary dwelling unit or the secondary dwelling unit is occupied by the owner of the lot on which the secondary dwelling unit is located, except for bonafide temporary absences. The approval shall remain valid if disability or infirmity required the institutionalization of the owner.
 - d. The secondary dwelling unit shall be rented at a rate that is affordable to low and moderate income families or to immediate family members as required under Subsection 28.94.030 of Title 28.
 - e. The approval and any conditions imposed by said permit shall lapse upon removal of the secondary dwelling unit.
 - f. There shall be no more than two (2) inhabitants in the secondary dwelling unit.
 - g. The above declarations are binding upon any successors in ownership of the property; any lack of compliance shall revoke the approval.

****Note:** *As of July 1, 2003, pursuant to State Law AB1866, the issuance of a Conditional Use Permit is no longer required.*